

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LP MATTHEWS, L.L.C.,

Plaintiff,

$$V_r$$

BATH & BODY WORKS, INC.; LIMITED BRANDS, INC.; KAO BRANDS CO. (f/k/a THE ANDREW JERGENS COMPANY); and KAO CORPORATION,

Defendants.

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C.A. No. 04-1507 (SLR)

**DECLARATION IN SUPPORT OF KBC'S MOTION FOR SUMMARY
JUDGMENT OF INVALIDITY BASED UPON A SUBSEQUENT BOARD
DECISION**

Richard L. Chinn declares and states:

1. I am co-counsel for defendants Kao Brands Co and Kao Corporation in this action.

2. Attached hereto as exhibits 1 and 2 are true copies of a Board decision and a notice of abandonment, respectively, in patent application serial number 07/786,804 which were obtained from the records of the United States Patent and Trademark Office.

I declare under the penalty of perjury that the foregoing is believed to be true and correct.

June 23 2006

Richard L. Chen

Richard L. Chinn

**IN THE UNITED STATES DISTRICT COURT
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CERTIFICATE OF SERVICE

I, David E. Moore, hereby certify that on June 29, 2006, the attached document was hand-delivered to the following persons and was electronically filed with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following and the document is available for viewing and downloading from CM/ECF:

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I hereby certify that on June 29, 2006, I have Electronically Mailed the documents to the following non-registered participants:

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